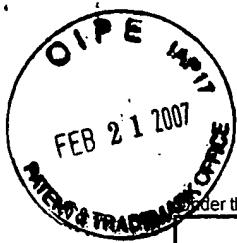


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PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	Patent#: 6,984,395
		Filing Date	Issued: January 10, 2006
		First Named Inventor	Ronald Erwin BOCH
		Art Unit	1615
		Examiner Name	G. S. Kishore
Total Number of Pages in This Submission	4	Attorney Docket Number	273012011300

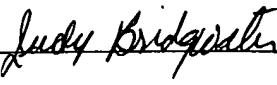
### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Proposed Certificate of Correction (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Customer No. 25225	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Laure L. Hill		
Date	February 14, 2007	Reg. No.	51,804

I hereby certify that this paper is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Attention: Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 14, 2007

Signature:  (Judy Bridgwater)

FEB 27 2007

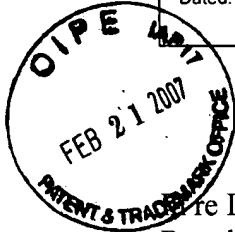
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Dated: February 14, 2007

Signature:

*Judy Bridgwater*  
(Judy Bridgwater)

Docket No.: 273012011300  
(PATENT)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Letters Patent of:  
Ronald Erwin BOCH et al.

Patent No.: 6,984,395

Issued: January 10, 2006

For: DRUG DELIVERY SYSTEM FOR  
HYDROPHOBIC DRUGS

### REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 CFR 1.322

Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With this request, we petition the Office for a Certificate of Correction for U.S. Patent No. 6,984,395 to correct an error made in the claims by the Office.

Upon review of the above-identified patent, Patentee noted an error made by the Office in the claims which should be corrected. More specifically, claim 1 as issued reads:

A composition comprising micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer wherein the micelles in the composition have an average diameter below about 100 nm.

Claim 1 of U.S. Patent No. 6,984,395 was prosecuted as claim 21 in the underlying application. According to the Examiner's amendment accompanying the Notice of Allowance dated

sd-358845

FEB 27 2007

July 5, 2005, the term "comprising" on line 1 of claim 1 was deleted and "consisting essentially of" was introduced. *See* Notice Allowance at page 2, item 1. Applicants' counsel agreed to this amendment in a telephonic interview on June 23, 2005. Therefore, claim 1 should read:

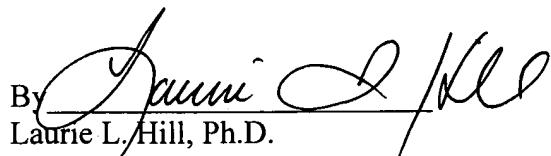
A composition "comprising" --consisting essentially of-- micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer wherein the micelles in the composition have an average diameter below about 100 nm.

Applicants request that a certificate of correction be issued to correct this error or in the alternative, request that a corrected patent be issued at no cost to the patentee. 37 C.F.R. § 1.322(b).

As the error was not in the application as filed by applicant; it is believed that no fee is required. However, in the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 273012011300.

Dated: February 14, 2007

Respectfully submitted,

By   
Laurie L. Hill, Ph.D.

Registration No.: 51,804  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858) 720-7945

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTIONPage 1 of 1

PATENT NO. : 6,984,395  
APPLICATION NO. : 09/833,406  
ISSUE DATE : January 10, 2006  
INVENTOR(S) : Ronald Erwin BOCH et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims, at column 34, Claim 1, please correct the following:

1. A composition "comprising" --**consisting essentially of**-- micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzoporphyrin photosensitizer  
wherein the micelles in the composition have an average diameter below about 100 nm.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Laurie L. Hill, Ph.D.

MORRISON & FOERSTER LLP

12531 High Bluff Drive, Suite 100

San Diego, California 92130-2040

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PATENT NO. 6,948,395